

L A W O F F I C E S O F
Murray Richman

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July 11, 2006
12:35 p.m.

VIA FACSIMILE 718 613 2386 AND ECF

Honorable Allyne R. Ross
United States District Court
225 Cadman Plaza East
Brooklyn, New York 11201

RE: United States v. Dupree Harris
04 Cr 203 (S-4)

Your Honor:

Yesterday evening at approximately 5:00 p.m. I received messages from Mr. Lasala and Mr. Friedman notifying me that sentencing for Mr. Harris would proceed tomorrow morning at 10:00 a.m. Please note that I was in the United States Attorney's Office yesterday afternoon where my phone is lodged with the marshals. I thus had no access to my messages. I immediately called back and noted that I was unavailable due to prior commitments, I had no opportunity to speak to Mr. Harris before Wednesday to let him know what was about to occur, I had no time to notify his family who are all working people and wish to be present for sentencing and thus had to make arrangements with their work. Additionally I had previously requested to schedule two dates as recommended by the Bureau of Prisons, one to resolve the SHU issue and secondly for sentencing.

I had suggested an alternative date of July 19, 2006 in the afternoon so that I may prepare Mr. Harris' family and afford them time to be present and to notify Mr. Harris as to the date set. I would suggest the 19th for resolution of the SHU issue and thereafter we could proceed to sentencing. Please note that I am directed to appear in an upstate court the 19th at 9:30 a.m. for final resolution of a matter that has been continued due to conflicts with other trials.

At noon today I received a call from Mr. Friedman noting that your Honor direct that I appear during my lunch hour for sentencing. Most respectfully I was not taking a lunch hour tomorrow as during what would be the lunch hour I am to attend a joint meeting in the United States Attorney's Office before the 5K.1 Committee. Additionally I still will not be able to organize Mr. Harris' family.

LAW OFFICES OF
Murray Richman

I do not wish to be problematic however springing a one day notice for proceedings of this importance is unfair to counsel, Mr. Harris and to the attorney client relationship. I do not understand why as with any other matter we are not afforded the courtesy of proper scheduling. I had previously written to the court to request the opportunity to schedule dates to no avail. Again I do not wish to be obstructive in any way, however I should have the weekend to let Mr. Harris know what the date of his sentencing is. When I last met with him I assured him that as soon as I was notified of the date I would have the opportunity to meet with him prior and to notify his family. I will not be able to proceed tomorrow, out of respect for Mr. Harris and his family, that I am not fully prepared to proceed, I have yet to receive an updated PSI and I wished to separately address the SHU issue.

I do not perceive that my request is anything but reasonable. I ask, as I had previously, that two dates be set. One to review the SHU issue and secondly for sentencing. I ask that the simple courtesy be given so that I can insure my availability and let Mr. Harris and family prepare and be present. I would request to proceed on the SHU issue on the 19th at 2:00 p.m. Sentencing may follow shortly thereafter.

I returned to my office to write this letter as I am in hearings for the remainder of the afternoon in Queens County Supreme Court. Again I apologize for the request however I perceive it to be impossible and unfair to proceed on such short notice.

Submitted most respectfully,



Stacey Richman

cc:

AUSA Lee Friedman